In re Application of Beachy et al. Application No.: 10/574,248

Filed: October 30, 2006

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Attorney Docket No. JHU1930-1

PATENT

REMARKS/ARGUMENTS

By the present Amendment, claims 1, 20, and 22 are pending in this application. Claims 2-19, 21, and 23-41 are withdrawn herein as being directed to a non-elected invention.

Applicants reserve the right to file one or more continuation, continuation-in-part, or divisional applications directed towards any withdrawn subject matter.

Election/Restriction

The Office Action has required restriction of the invention under 35 U.S.C. § 121 into the following groups:

Group I: Claims 1, 20 and 22 drawn to a compound of formula (I)

Group II: Claim 2 drawn to a compound of formula (II)

Group III: Claim 3 drawn to a compound of formula (III)

Group IV: Claims 4-6 drawn to a compound comprising aromatic moiety

Group V: Claims 7-12 drawn to a compound comprising benzopiperazine moiety

Group VI: Claims 13 and 14 drawn to a compound comprising azaanthracene moiety

Group VII: Claims 15-19 drawn to a method of treatment of a disease

Group VIII: Claim 21 drawn to a method of use of a compound

Group XI: Claims 23-36 drawn to another method of use of a compound

Group X: Claims 37 and 38 drawn to a method of use of a compound

Group XI: Claim 39 drawn to a method of use of a compound

Group XII: Claims 40 and 41 drawn to another method of use of a compound.

In response, Applicants hereby elect <u>Group I</u>, Claims 1, 20 and 22 drawn to a compound of formula (I).

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CONCLUSION

In view of the above amendments and remarks, reconsideration and favorable action on all claims are respectfully requested. In the event any matters remain to be resolved, the Examiner is requested to contact the undersigned at the telephone number given below so that a prompt disposition of this application can be achieved.

No additional fees are believed to be due with the present communication, however, the Commissioner is hereby authorized to charge any fees that may be due in connection with the filing of this paper, or credit any overpayment to Deposit Account No. <u>07-1896</u>, referencing the above-identified Attorney Docket Number.

Respectfully submitted.

Date: June 18, 2009

Edward D. Robinson J.D., Ph.D. Registration No. 43,049

Telephone: (858) 677-1434 Facsimile: (858) 677-1465

DLA Piper LLP (US) 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133 USPTO Customer Number 28213